

Panama Canal Regulations

§ 67.14

(a) May issue health and sanitation regulations respecting (1) barbers, beauticians and manicurists; (2) examination of food handlers and the inspection of food-handling establishments; (3) foods and beverages; and (4) pest extermination; and

(b) Shall administer the provisions of this part.

PART 67—CANAL ZONE POSTAL MONEY ORDERS AND SAVINGS CERTIFICATES

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AUTHORITY: Sec. 1331, Pub. L. 96-70, 93 Stat. 481; EO 12173, 44 FR 69271.

Source 44 FR 75324, Dec. 19, 1979, unless otherwise noted.

Subpart A—General Provisions

§ 67.1 Authority.

The provisions of Chapter 73 of the Panama Canal Code relating to postal savings deposits, postal savings certificates, postal money orders and the accounting for funds shall continue to apply for the purpose of meeting the obligations of the United States concerning outstanding postal savings and money orders and disposition of funds.

§ 67.2 Scope.

The regulations in this part govern the procedures to be followed in redeeming outstanding Canal Zone postal savings deposits, postal savings certificates and postal money orders.

Subpart B—Canal Zone Money Order System

§ 67.11 Scope of the subpart.

This subpart covers procedures to be followed in the conduct of payment of outstanding Canal Zone money orders, and accounting for such transactions.

§ 67.12 Applicability of Federal postal laws and regulations.

The provisions of the postal laws of the United States, and of 39 CFR, relating to the payment of outstanding Canal Zone money orders, are applicable to the Panama Canal Commission, insofar as they are not in conflict with the provisions of this subpart.

§ 67.13 U.S. Postal Service restrictions.

Any restrictions imposed by the United States Postal Service on payment of United States postal money orders shall apply to outstanding Canal Zone money orders.

§ 67.14 Payment.

(a) *Place of payment.* Money orders may be paid at the Office of the Treasurer, Panama Canal Commission, which is authorized to pay outstanding Canal Zone money orders.

(b) *Canal Zone money orders.* A money order may be paid at full face value when presented by the payee, endorsee,

or purchaser, within the period of validity.

CROSS REFERENCE: Procedure for payment, see § 67.15. Period of validity, see § 67.16.

§ 67.15 General procedures for payment of outstanding Canal Zone money orders.

(a) *Terms of payment.* A money order shall be paid at its face value if presented by the payee, remitter or endorsee.

(b) *Examination of order.* When a Canal Zone money order is presented for payment, the Cashier, Office of the Treasurer, shall examine it to see that:

- (1) It is not a form reported stolen.
- (2) It is not a counterfeit.
- (3) It is properly stamped and drawn by the issuing office.
- (4) It does not bear any alterations or erasures.

(c) *Machine-issued orders.* The money orders issued by the print-punch machine are payable in the amount printed on and punched in the order by the machine. The money orders issued by machine are payable in the amount imprinted by machine, but for no more than the amount stamped between the words "Not Valid For More Than" and the word "Pay".

(d) *Verification.* Verification of an order presented for payment should be made by Chief, Agents Accounts Branch of the Panama Canal Commission, prior to payment by the cashier.

(e) *Identification*—(1) *General requirement.* If the payee presenting the money order is not personally known to the cashier, he must prove his identity.

(2) *Identification of payee.* Social security cards are not acceptable. Drivers permits, military identification cards, or other credential showing signature of bearer and having serial numbers or other indicia which can be traced to the holder are helpful in identification. The owner must sign the money order in the presence of the cashier. The cashier shall compare signature with identification, if possible, shall enter on the back of the order the license or serial number and full description of the identification; and shall also initial the back of the order and an impression of the agent's stamp will be affixed on the back of the order immediately on payment.

This will aid in apprehending persons attempting forgery or other wrong payment.

(3) *Cashing endorsed money orders.* This procedure must be followed carefully in the case of endorsed money orders, as they might bear a forged endorsement and be in the hands of the wrong person.

(4) *Payment to wrong person.* If the cashier has taken proper care under the circumstances, the Treasurer of the Panama Canal Commission will recommend that he be relieved of financial responsibility for wrong payment.

(5) *Duties of employees.* If a cashier is unable to satisfy himself that an applicant for payment is the owner of the order, he should bring the case to the attention of his supervisor or the Treasurer.

(6) *Attempts to defraud.* Any attempt to defraud should be referred to the Treasurer by the cashier.

(7) *Requirements for signatures, etc.*—(i) *Signature by mark.* If signature of payee or endorsee is by mark, it shall be witnessed by a person who can write, and the witness shall be someone other than the Treasurer or paying cashier.

(ii) *Signature different from name on order.* Any signature of the payee consistent with the name given on the order may be accepted by the paying cashier as sufficient, if he is satisfied that it is the genuine signature of the payee intended.

(iii) *Signature of officer.* An order drawn in favor of a public official or officer of a corporation, company, or association, as such, may be paid to his successor, if presented by the latter, who, in receipting for it, shall be required to indicate in writing the capacity in which he acts, thus: "William Jones, Treasurer, successor to George Thompson".

(iv) *When payee is society or corporation.* When the payee is a society or corporation, the person who has authority to receive payment of money due such payee shall receipt the order in his official capacity, and if occasion arises, the Treasurer may require satisfactory proof of such authority.

(v) *Stamped signature in receipt.* All of the requisite signatures to a money order—those of payee, endorsee, or witness to payment—shall be written,

preferably in ink; but a stamped signature may be used in place of the written signature of payee or agent of payee in receipts on money order drawn in favor of or made payable to a firm, corporation, association, society, or individual, if beneath it is written the signature of the person receiving payment or executing the endorsement. Under no circumstances may an endorsement be made by means of a perforating device.

(vi) *Signature of agent.* The paying cashier shall affix or cause to be affixed to the signature of the person receiving payment of a money order any such word or words as may be necessary to explain the right of such person to collect the amount. For instance, where an order drawn in favor of a company is paid to its local manager, the word "Manager" should appear beneath or opposite his signature to the endorsement.

(vii) *Use of titles.* The paying cashier shall not insist on the inclusion or the omission of a title or prefix such as "Dr.," "Rev.," "Prof.," "Madam," or "Mrs." in the signature to an order, whether or not the payee is designated by such title or prefix in the body of the order.

(viii) *Order presented by payee after being endorsed by others.* When an order is presented by the payee for payment, it is immaterial what endorsements there may be on the order. Payment may be made if the order is otherwise regular and there is space for the payee to sign his name on the back of the order on or near the line above the word "Payee" and inconsistent or unnecessary signatures or endorsements may be canceled.

(ix) *Substitution by payee or remitter of name written in error.* The payee or the remitter of an order, but no one else, may substitute any other name for one which he has already written by mistake in the body of the first endorsement thereon, and payment may be made to the person whose name has thus been substituted, if the order is regular in other respects.

(x) *More than one payee.* Money orders completed by the purchaser to show more than one firm or person as payee may be paid to any one of them.

(f) *Stolen forms.* Money orders issued on stolen forms will not be accepted as valid vouchers for disbursements.

(g) *Procedure where duplicate issued.* If upon verification, it is established that a duplicate has been issued, the cashier to whom the order is presented shall write across it with ink the words, "Canceled-Duplicate Issued," and forward the order to the Chief, Agents Accounts Branch for disposition.

(h) *Payment to other than payee—(1) Transfer of money orders—(i) By purchaser or payee.* The payee or the purchaser of a money order may endorse the order to any other person or firm. A money order may not be paid to a second person without written transfer or endorsement to him by the payee or purchaser in the prescribed form on the reverse side of the order, except as provided by paragraphs (h)(i)(ii) and (iii) of this section.

(ii) *On power of attorney.* A person with power or attorney may cash money orders in behalf of the payee who gave him that authority. The power of attorney must be filed at the office of payment.

(iii) *On separate written order of payee.* When the payee has filed with the Treasurer a separate written order authorizing payment to another person, and designating that person by name as the one to receive payment of and to receipt for any specified order, or for all orders payable by the Treasurer to the payee, that person may cash money orders on behalf of the payee.

(2) *Upon assignment.* When a person or firm makes an assignment, and the assignor intends that money orders payable to him will be paid to assignee, he should execute a power of attorney to give such written order separate from the instrument of assignment, to be filed in the Office of the Treasurer. The person designated to receive payment should receipt the money order as such, indicating beneath his signature the capacity in which he acts.

(3) *On death of payee.* A money order belonging to a deceased remitter or payee may be paid to the executor or administrator of the estate appointed by the court. A certified copy of the appointment shall be filed with the Treasurer. If the estate is small and administration is not desired, payment

shall be made in accordance with the Panama Canal Code. Whenever a money order belonging to a deceased remitter or payee is presented for payment, the Treasurer should be informed and payment therefor withheld until instructions for payment are received.

CROSS REFERENCE: Laws on succession, see 7 P.C.C. 501, *et seq.*

(4) *To concern which has ceased to exist.* A money order payable to a firm, bank, or company which has ceased to exist shall be paid to the legal representative thereof.

(5) *To committee or guardian.* When a committee, guardian, or other person is appointed by a court to act for a person declared incompetent, money orders shall not be paid to the ward. All money orders showing the ward as payee or endorsed shall be paid only to the committee, guardian, or other duly designated person, who shall exhibit to the postmaster the authority thus to act for the ward. Such money orders shall be receipted in the name of the ward, followed by the signature and legal designation of the committee, guardian, or other authorized agent.

(6) *To minor.* A money order payable to a minor may be paid to the father or mother thereof as natural guardian, unless legal proceedings have been instituted which make questionable the claim of the father or mother, in which case the facts should be reported to the Treasurer.

(i) *Discrepancies or alterations.* If there is any doubt as to the particulars on a Canal Zone money order, verification of the order should be made with Chief, Agents Accounts Branch.

(j) *Payment of remitter.* A money order presented by the remitter may be refunded at the Office of the Treasurer upon proper identification.

(k) *Payment of order withheld—(1) Invalid orders.* Provisions relating to the payment of invalid Canal Zone money orders are contained in § 67.16.

(2) *Nonpayment because of fraud—(i) Proof.* If the purchaser has proof that the order was purchased because of false representations or other fraudulent action of the payee, or that the payee is engaged in conducting a scheme or device for obtaining money

fraudulently through the mails, the purchaser may request the Treasurer to withhold payment.

(ii) *Orders forbidding payment.* Payment of a money order should not be made under any circumstances to a specific person or firm when an order has been issued by the Treasurer forbidding payment of money orders to such persons or firms.

§ 67.16 Period of validity.

As provided by 2 P.C.C. 1142, 76A Stat. 40, money orders issued by the Canal Zone Postal Service may not be paid after 20 years from the last day of original issue. Claims for unpaid money orders shall be forever barred unless received by the Panama Canal Commission Treasurer within such 20-year period. Special authority shall be obtained from the Chief, Agents Accounts Branch, to pay or refund a Canal Zone money order presented after one year from the last day of the month in which it was issued and prior to the expiration of the 20-year period.

§ 67.17 Who may receive information.

Information concerning money order transactions may be given only to the purchaser, payee, or endorsee, or his agent, or to a representative of the Agents Accounts Branch, the Office of the Treasurer, and the Postal Assistance Unit of the Panama Canal Commission.

§ 67.18 Inquiries regarding payment.

Inquiries concerning the payment of a money order shall be made to the Chief, Agents Accounts Branch on PS Form 6401 or by direct correspondence.

§ 67.19 Duplicate money orders; application for payment of mutilated or lost money orders.

(a) Duplicate money orders shall not be issued after September 28, 1979.

(b) A duplicate money order issued prior to September 29, 1979, may be paid at the Office of the Treasurer.

(c) A duplicate money order is payable only to the payee named thereon or his endorsee.

(d) An application for payment of a mutilated or lost money order may be accepted and certified by Chief, Agents Accounts Branch and honored by the

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Treasurer if the mutilated order accompanies the application or the original money order has been inadvertently destroyed and the person in whose favor the application is made submits evidence, in the form of affidavits or otherwise as Chief, Agents Accounts Branch deems sufficient to establish a valid claim to the original order.

§ 67.20 Acceptance of application for refund payment.

(a) An application for refund payment on a money order may be accepted by the Chief, Agents Accounts Branch.

(b) An application for refund payment of a money order alleged to have been lost, stolen or destroyed may be accepted only from the purchaser, or the holder of the purchaser's receipt, and payment shall be issued if the person in whose favor the application is made submits evidence in the form of affidavits or otherwise, as the Chief, Agents Accounts Branch deems sufficient to establish a valid claim to the original order and the original order has not been paid.

(c) The complete name and address of the person or firm to whom the money order was sent, as well as the complete name and last known address (house number, street, and post office) of the person to whom the refund payment is to be paid, shall be determined from the applicant by inquiry.

§ 67.21 Money orders recovered after duplicate issued.

When a money order alleged to have been lost comes into the possession of the remitter, payee, or endorsee thereof after application for a refund payment has been made, the paying cashier to whom the order is presented shall notify Chief, Agents Accounts Branch by memorandum. If a duplicate or refund payment has not been issued in lieu thereof, the Chief, Agents Accounts Branch, may authorize the payment or refund of such original order. If upon verification, it is evident that a duplicate or refund payment has been issued, the cashier to whom the order is presented shall write across it the words "Canceled—Duplicate/Refund Payment Issued," and the order shall

be sent to Chief, Agents Accounts Branch for disposition.

Subpart C—Canal Zone Postal Savings System

§ 67.31 Purpose and designation of depository.

The postal savings system was established to provide facilities for the deposit of savings at interest with the security of the United States Government for repayment. As a result of the discontinuance of the Canal Zone Postal Service, effective October 1, 1979, the Treasurer of the Panama Canal Commission has been designated as the sole postal savings depository.

§ 67.32 Scope of this subpart.

This subpart covers the procedures to be followed in the payment of outstanding postal savings certificates and the accounting for such transactions.

§ 67.33 Retroactive application.

This subpart applies equally to money orders or deposit orders issued in lieu of postal savings certificates prior to September 29, 1979. Such orders may have been endorsed or were known at various times as follows:

"Money Order"—"Deposit Money Order";
"Non-Transferable Deposit Money Order";
"Non-Transferable—Payable to Depositor Only";
"Pay Depositor Only at Office of Issue."

§ 67.34 Applicability of Federal postal laws and regulations.

The provisions of the postal laws of the United States, and of 39 CFR, relating to the payment of postal savings certificates, are applicable to the Panama Canal Commission, insofar as they are not in conflict with the provisions of this subpart.

CROSS REFERENCE: Postal savings system, see 39 U.S.C. 5201 *et seq.*; postal savings, see 39 CFR Part 173.

§ 67.35 Care and protection of records.

All unpaid stubs and any current postal savings statements, records, or files relating to unpaid accounts shall be placed and maintained in a vault or safe when not actually required for an official transaction. All such records

shall be placed in the vault or safe during alerts or disaster periods. The Chief, Agents Accounts Branch, shall give this matter his personal attention and shall be held accountable for the proper protection of the records.

§ 67.36 Interest.

(a) *Rate.* Postal savings certificates shall bear interest at the rate of one-half of one percentum for each period of three full months from the date of issue.

(b) *Interest period*—(1) “Three full months”. In computing interest, the term “three full months” shall be considered as follows:

(i) If a certificate was issued on the last day of the month, interest is due and payable on the last day of the month, regardless of the number of days in such month, except that:

(A) If the last day of the month falls on a Sunday or holiday, interest is not payable until the first day of the following month.

(B) If the certificate was issued February 28, interest is due and payable May 28, August 28, etc. Interest on certificates issued August 31, therefore, would be due and payable November 30, February 28, and May 31.

(ii) If a certificate was issued other than on the last day of the month, interest is due and payable three months from the actual date of issue.

(A) If issued January 15, interest is due April 15.

(B) If issued February 1, interest is due May 1, etc.

(iii) When the computation of interest results in fraction of a cent, the fraction shall be dropped.

(c) *When paid.* Interest shall be paid only when the certificate is paid.

(d) This section applies to all outstanding deposit money orders and postal savings certificates issued prior to September 29, 1979.

(2 P.C.C. sec. 1134, 76A Stat. 39).

§ 67.37 Payment of postal savings certificates.

(a) *On demand at Office of the Treasurer.* Upon certification by a designated Agents Accounts Branch representative, postal savings certificates shall be authorized for payment only to the depositor by either cash through the

Office of the Treasurer of the Panama Canal Commission or by a Panama Canal Commission check. In the case of a joint account, the certificates shall be payable to the signature of either of the depositors or the survivor. To terminate a joint account, all orders payable to the two persons jointly must be presented and cashed.

(b) *In person.* The certificate shall be paid to the depositor on proper identification and certification by the designated Agents Accounts Branch representative. Payment may be made by cash only at the Office of the Treasurer or by a Panama Canal Commission check.

(c) *By mail*—(1) *Requisites.* Withdrawals may be made by mail, if the certificates are properly signed by the depositor and forwarded to the Chief, Agents Accounts Branch, and he is satisfied as to the identity of the depositor.

(2) *Manner of payment.* Payment shall be made by check, which shall be sent by registered mail. Before mailing the payment, the registry fee and postage, shall be deducted.

(d) *Payment of certificates of deceased depositors*—(1) *Payment to representative.* After the death of a depositor, certificates in his or her favor shall be paid to the duly authorized executor or administrator of the estate or other person only upon the authority of the Chief, Agents Accounts Branch. When it is known that a depositor has died, the stubs should be “flagged” and held to the credit of the deceased depositor.

(2) *Survivor of joint depositors.* After the death of either of two joint depositors, when a “Joint Depositor’s Agreement” has been completed, the certificates remaining unpaid become the sole property of the survivor and may be paid to the survivor without the authority of the Chief, Agents Accounts Branch.

(e) *Payment of certificates to incompetent depositors.* In cases of mental disability or other legal incompetence of a depositor, the Chief, Agents Accounts Branch should contact the General Counsel of the Panama Canal Commission for instructions.

(f) *Identification.* The person presenting a postal savings certificate must identify himself before payment is

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made. Section 67.15(e) covering payment of money orders, shall govern in the payment of postal savings certificates.

§ 67.38 General procedures for payment of postal savings certificates.

(a) *Examination of the certificate.* Postal savings certificates presented for payment must be validated by the designated Agents Accounts Branch representative prior to effecting payment. The representative shall examine the certificate and compare it with all particulars on the post office stub and the list of outstanding certificates to ascertain if the certificate is valid for payment and if the certificate is in order. A payment authorization will be prepared and forwarded to the Office of the Treasurer.

(b) *Signatures.* The certificate shall be signed by the depositor on the back in the presence of the Panama Canal Commission cashier who shall verify all particulars entered thereon. When in doubt, a signature should be verified with that which appears on the corresponding application, joint account card or the representative of depositor's card (Form 2105). The person presenting the certificate must identify himself before payment is made. If a certificate is paid to the wrong person through lack of precaution, the paying cashier will be held accountable for the amount of the certificate.

(c) *Interest due—(1) Notation of interest.* When a certificate is paid, the total amount of interest due shall be shown in red ink in the "Interest" block of the certificate and stub of the postal savings certificate. When no interest is paid, a straight line in red ink shall be drawn across the "Interest" blocks. Once the amount of interest is written on the certificate, no change or alteration shall be permitted.

(2) *Errors—(i) Underpayment of interest.* If an underpayment of interest has been made after figures have been entered in the interest block on a certificate, paying cashier shall receive a payment voucher Panama Canal Commission Form 5128 for cash payment from the depositor when the additional amount is paid to him. The payment voucher shall be returned to Agents Accounts Branch for their office

records. Requests for payment by check shall be accomplished on Panama Canal Commission Form 3162. The amount of unpaid interest shall not be set aside for the depositor pending his response to a notice to call, and credit shall not be taken until the short payment has actually been made to the depositor.

(ii) *Overpayment of Interest.* The Chief, Agents Accounts Branch will establish procedures for the recovery of overpayments.

(d) *Date of payment.* A clear impression of the Agent's stamp shall be placed in proper space on back of the certificate and on the back of the corresponding office stub. The date affixed by the cashier shall be the actual day of payment.

(e) *Initiating paid certificates.* The Chief, Agents Accounts Branch shall establish procedures for identifying paid savings certificates, specifically as it relates to the original certificates and corresponding stub.

(f) *Issuance of duplicate as precluding payment.* The original postal savings certificate shall NOT be paid under any circumstances if a duplicate postal savings certificate was issued prior to September 29, 1979.

(g) *Filing paid stubs.* The stubs of paid certificates shall be filed in numerical sequence in a file covering the calendar year in which paid.

(h) *Final determination regarding payment.* Final determination as to whether payment has been properly made on postal savings certificates or other evidences of deposit in the postal savings of the former Canal Zone Postal Service including duplicates, shall be based upon the official records of Agents Accounts Branch.

CROSS REFERENCE: Rate of interest, see § 67.36.

§ 67.39 Privacy of accounts.

Agents Accounts Branch employees shall not disclose the name of any postal savings depositor nor give information concerning a particular account to any person other than the depositor himself, without specific authority from the Chief, Agents Accounts Branch.

§ 67.40 Claims.

(a) *Dispute as to ownership or claim by another person.* When there is any dispute as to the ownership, or when a claim by a person other than the depositor is made for payment, the designated Agents Accounts Branch representative shall withhold payment authorization of withdrawals from the account involved pending instructions from the Chief, Agents Accounts Branch.

(b) *Limitations on claims.* All claims for payment of any postal savings certificate or other evidence of deposit in the postal savings system of the former Canal Zone Postal Service issued prior to October 1, 1979, including duplicates, which are shown by the records in the possession of the Agents Accounts Branch to have been duly paid, shall be barred if not presented to the Panama Canal Commission within six years from the date on which such records show that they were paid.

§ 67.41 Disposal of paid postal savings certificates.

Postal savings certificates or other evidences of deposit in the postal savings system of the former Canal Zone Postal Service, including duplicates, may be disposed of after the expiration of six years from date payment thereon has been made as shown by the records of the Panama Canal Commission.

§ 67.42 Replacement of certificates.

Duplicate postal savings certificates shall not be issued after September 28, 1979. A postal savings certificate that is lost, stolen, destroyed or improperly withheld, shall be paid by cash or check to the depositor, in accordance with the procedures established by this subpart.

§ 67.43 Payment of duplicate certificate.

A duplicate postal savings certificate issued prior to September 29, 1979 may be paid at the Office of the Treasurer, under the same conditions governing the payment of the original postal savings certificate.

§ 67.44 Disposition of recovered certificate.

If, after a duplicate postal savings certificate was issued, the depositor reports that he has found the original certificate, he shall be instructed to surrender the original certificate. The certificate surrendered shall be endorsed with the word "Canceled" across its face and retained at Agents Accounts Branch as office records.

PART 70—PROCEDURES FOR CHANGING RULES OF MEASUREMENT OR RATES OF TOLLS**Sec.**

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AUTHORITY: Sections 1601-1604 and 1801, Pub. L. 96-70, 93 Stat. 489-492, 22 U.S.C. 3791-3794, 3811; sections 3527 and 3528, Pub. L. 104-106; EO 12215, 45 FR 36043, 3 CFR, 1981 Comp., p. 257.

SOURCE: 47 FR 8177, Feb. 25, 1982, unless otherwise noted.

§ 70.1 Scope.

These regulations establish procedures for prescribing or changing the rules of measurement of vessels for the Panama Canal and the rates of tolls that shall be levied for the use of the Canal.

§ 70.2 Definitions.

As used in this part:

(a) *Board* means the nine-member Board of the Panama Canal Commission, appointed pursuant to section 1102 of the Panama Canal Act of 1979, Pub. L. 96-70, 93 Stat. 456.

(b) *Commission* means the Panama Canal Commission.

(c) *Hearing* means a public proceeding at which interested persons are afforded an opportunity to participate in rulemaking through submission of